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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

EASTERN

District of

NEW YORK

IN THE MATTER OF THE COMPLAINT OF THERESA-MANIACI  
CANNI AND THE ESTATE OF GEORGE CANNI, AS OWNERS AND/OR  
OWNERS PRO HAC VICE OF THE RECREATIONAL VESSEL UNCANNI,  
2001 HUSTLER, FOR EXONERATION FROM LIABILITY **SUMMONS IN A CIVIL ACTION**

CASE NUMBER:

10 cv 00958

TO: (Name and address of Defendant)

THE TOWN OF OYSTER BAY, 54 AUDREY AVENUE, OYSTER BAY,  
NY 11771  
THE COUNTY OF NASSAU, 1 West Street, Mineola, New York 11501  
THE TOWN OF HEMPSTEAD, One Washington Street, Hempstead, NY  
11550

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Frank V. Floriani  
SULLIVAN PAPAIN BLOCK McGRATH & CANNAVO  
120 Broadway - 18th Floor  
New York, New York 10271

an answer to the complaint which is served on you with this summons, within SIXTY (60) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

ROBERT C. HEINEMANN

MAY 25 2010

CLERK

DATE

*L. Carone*  
(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	6/4/10
NAME OF SERVER (PRINT) <i>L.H. COVEN</i>	TITLE	<i>Process Server</i>
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <i>THE TOWN of OYSTER BAY</i> <i>RECEIVED BY: CHRISTINE WISS</i> <i>54 AUDREY AVENUE</i> <i>Deputy Town Clerk</i> <i>OYSTER BAY, NY 11771</i> <i>AUTHORIZED TO ACCEPT</i>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>6/4/10</u>	<u><i>[Signature]</i></u> Date Signature of Server	
	<u><i>99 Tulip Ave, ST 309</i></u> <u><i>Florel Park, NY 11001</i></u> Address of Server	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.